



తెలంగాణ రాజ పత్రము
RULES SUPPLEMENT TO PART-I
EXTRAORDINARY
OF
THE TELANGANA GAZETTE
PUBLISHED BY AUTHORITY

No. 29]

HYDERABAD, WEDNESDAY, JULY 12, 2017.

NOTIFICATIONS BY GOVERNMENT

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT
(M.I)

GHMC ACT, 1955 - TELANGANA MUNICIPAL BUILDING TRIBUNAL (PROCEDURE) RULES, 2017.

[G.O.Ms. No.188, Municipal Administration & Urban Development (MI), 7th July, 2017.]

In exercise of the powers conferred by sub-section (2) of section 585 read with section 462-A of the Greater Hyderabad Municipal Corporation Act, 1955, the Government of Telangana hereby makes the following rules, namely Telangana Municipal Building Tribunal (Procedure) Rules, 2017.

1. Short title, applicability and commencement:

- (1) These rules may be called the Telangana Municipal Building Tribunal (Procedure) Rules, 2017.
- (2) These rules shall apply to all the matters arising out of matters referred to in section 452 or section 461-A and offenses relating to contravention of provisions of the GHMC Act mentioned in the Schedule U and Schedule V in respect of Chapter XII namely Building Regulations under sections 596 and 597 of said Act.
- (3) These Rules shall come into force at once.
- (4) In the initial stage, the Territorial Jurisdiction of the Municipal Building Tribunal is confined to the GHMC Area.

2. Definitions:

In these rules, unless the context otherwise requires -

- (a) “Act” means the Greater Hyderabad Municipal Corporation Act, 1955 (Act II of 1956);
- (b) “agent” means a person duly authorized by a party to file suit, an affidavit, written statement, rejoinder or any other document on its behalf before the Tribunal;
- (c) “applicant” means person making an application to the Tribunal.
- (d) “Form” means a form appended to these rules;
- (e) “legal practitioner” shall have the same meaning as is assigned to it in the Advocates Act, 1961 (Central Act 25 of 1961);
- (f) “legal representative” means a person who in law represents a person with “Registered General Power of Attorney” or the estate of the deceased person and includes a person or persons in whom the right to receive all benefits etc.,
- (g) “Registrar” in relation to the Tribunal, means the Registrar appointed;
- (h) “Registrar” means the Registry of the Tribunal;
- (i) “section” means a section of the Act;
- (j) “Transferred application” means the applications as referred to in rule-30 including any suit or other proceeding;
- (k) “Tribunal” means the Telangana Municipal Building Tribunal established under sub-section (1) of section 462-A of the Act ;
- (l) “Chairperson” means the Chairperson appointed by the Government to the Tribunal under section 462-A of the Act;
- (m) “Technical Member” means member, appointed as such by the Government under section 462-A of the Act;
- (n) words and expressions used in these rules and not defined, but defined in the Act and the Rules framed there under shall have the same meaning respectively assigned to them in the Act and the Rules framed there under.

3. Sitting place of the Tribunal:

The place of sitting of the Tribunal shall be either at the Principal Seat at Hyderabad or as may be specified by the Chairperson from time to time.

4. Language of the Tribunal:

- (1) The language of the Tribunal shall be English:

Provided that the parties to a proceeding before the Tribunal may file documents drawn up in Telugu or Urdu, if they so desire:

Provided further that

- (i) the Tribunal may, in their discretion, make final orders either in Telugu or in English.
- (ii) the Tribunal may, in its discretion permit the use of Telugu or Urdu in the proceedings;
- (iii) the Tribunal, hearing the matter may in its discretion direct English translation of pleadings and documents to be filed;
- (2) Notwithstanding anything contained in sub-rule (1), where a final order is made in Telugu, and authenticated English translation thereof shall simultaneously be prepared and kept on record.

5. Procedure for filing applications:

- (1) An application to the Tribunal shall be presented in Form-I by the applicant in person or by an agent or by a duly authorized legal practitioner to the Registrar or any other officer authorized in writing by the Registrar to receive the same or be sent by Registered Post with Acknowledgement duly addressed to the

Registrar.

(2) The application under sub-rule (1) shall be presented in triplicate in the following two compilations-

- (i) Compilation No. 1. - All other documents and annexures referred to in the application in a paper book form.
- (ii) Compilation No. 2. - Application along with the impugned order, if any;

(3) Where the number of respondents are more than one, as many extra copies of the application in paper-book form as there are respondents together with unused file size envelope bearing the full address of each respondent shall be furnished by the applicant:

Provided that where the number of respondents are more than five, the Registrar may permit the applicant to file the extra copies of the application at the time of issue of notice to the respondents.

(4) The applicant may attach to and present with his application a receipt slip in Form-II which shall be signed by the Registrar or the officer receiving the application on behalf of the Registrar in acknowledgement of the receipt of the application.

(5) (a) Notwithstanding anything contained in sub-rules (1) to (3) the Tribunal may permit more than one person to join together and file a single application if it is satisfied, having regard to the cause and the nature of relief prayed for that they have a common interest in the matter.

(b) Such permission may also be granted to an Association representing the persons desirous of joining in a single application provided, on whose behalf it has been filed, provided that at least one affected person joins such an application.

6. Presentation and scrutiny of applications:

- (1) The Registrar, or the officer authorized by him under rule 5(1), shall endorse on every application the date on which it is presented and shall sign the endorsement.
- (2) If, on scrutiny, the application is found to be in order, it shall be duly registered and given a serial number.
- (3) If the application, on scrutiny, is found to be defective and the defect noticed is formal in nature, the Registrar may allow the party to satisfy the same in his presence, and if the said defect is not formal in nature, the Registrar may allow the applicant within such time as may be stipulated by him to rectify the defect as he may deem fit. Where an application is received by registered post, the applicant shall be informed of the defects, if any, and he shall be required to rectify the same within such time as may be stipulated by the Registrar.
- (4) If the applicant fails to rectify the defect within the time allowed under sub-rule (3), the Registrar may, by order and for reasons to be recorded in writing, decline to register the application and place the matter before the Tribunal for appropriate orders.

7. Place of filing applications:

An application shall be filed by an applicant/petitioner with the Registrar of the Tribunal within whose jurisdiction -

8. Application fee:

Every application filed with the Registrar shall be accompanied by a fee of rupees Five Hundred to be remitted either in the form of crossed demand draft drawn on a nationalized bank in favour of the Registrar of the Tribunal and payable at Hyderabad, or remitted through a crossed Indian Postal Order drawn in favour of the Registrar and payable at Hyderabad.

Provided that where the Tribunal permit a single application to be filed, either by more than one person or by an Association, the fee payable shall be rupees Five hundred only:

Provided further that where the Tribunal is satisfied that an applicant is unable to pay the prescribed fee

on ground of indigence, it may exempt such an applicant from the payment of fee.

9. Contents of application:

- (1) Every application filed under rule 5 shall set forth concisely under distinct heads the grounds for such application. Such grounds shall be numbered consecutively. Every application including any miscellaneous application shall be typed in double space on one side on good quality paper.
- (2) It shall not be necessary to present a separate application to seek an interim order or direction if in original application the same is prayed for.
- (3) An applicant may, subsequent to the filing of an application, apply for an interim order or direction. Such an application shall, be in Form-III.
- (4) Where the applicant seeks condonation of delay, he shall file a separate application by filing relevant documents.

10. Documents to accompany the application:

- (1) Every application shall be accompanied by the following documents:
 - (i) An index of the documents.
 - (ii) Self-attested true copy of the order against which the application is filed,
 - (iii) Copies of the documents relied upon by the applicant and referred to in the application;
- (2) The documents referred may be attested by a legal practitioner or self-attested and each document shall be marked serially as Annexures A1, A2, A3 and so on.
- (3) Where an application is filed by any agent, documents authorizing him to act as such agent shall also be appended to the application:

Provided that where an application is filed by a legal practitioner, it shall be accompanied by a duly executed 'Vakalatnama'.

11. Plural remedies:

An application shall be based upon a single cause of action and may seek one or more relief provided that they are consequential to one another.

12. Service of notice by the Tribunal:

- (1) Notices to be issued by the Tribunal may be served by any of the following modes -

- (i) Service by the party itself with acknowledgement due;
- (ii) By hand delivery (dasti) through process server; or
- (iii) By registered post/speed post with acknowledgement due;

Provided that if the Tribunal does not specify the mode of service, notice may be sent by registered post/speed post with acknowledgement due.

- (2) Where notice issued by the Tribunal is served by the party itself, he shall file with the Registry of the Tribunal, the acknowledgement together with an affidavit of service.
- (3) Notwithstanding anything contained in sub-rule(1) the Tribunal may, taking into account the number of respondents and their places of residence or work and other circumstances, direct the notice of the application shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient.
- (4) Notwithstanding anything contained in sub-rule (1), the Tribunal, may in its discretion, having regard to the nature of the case, direct the service of the notice on the Standing Counsel, authorized to accept the service or an authority controlled by the State Government.
- (5) Every notice issued by the Tribunal shall unless otherwise ordered, be accompanied by a copy of the application and a copy of the impugned order.

- (6) Every applicant shall pay a fee for the service of execution of processes, in respect of an application where the number of respondents exceeds five, as under:-
- (i) A sum of rupees fifty for each respondent in excess of five respondents;
- or
- (ii) Where the service is in such a manner as the Tribunal may direct under sub-rule (3), such a sum not exceeding the actual charges incurred in effecting the service as may be determined by the Tribunal.
- (7) The fee for the service or execution of processes under sub-rule (3) shall be remitted in the manner prescribed in rule 8 within one week of the date of the order determining the fee or within such extended time as the Registrar may permit.
- (8) Notwithstanding anything contained in sub-rules (1) to (4), if the Tribunal is satisfied that it is not reasonably practicable to serve notice of application upon all the respondents, it may, for reasons to be recorded in writing, direct that the application shall be heard notwithstanding that some of the respondents have not been served with notice of the application:
- Provided that no application shall be heard unless:
- (i) Notice of the application has been served on the concerned Municipal Authority or the State Government, if the same is added as a respondent;
- (ii) Notice of the application has been served on the authority which passed the order against which the application has been filed; and
- (iii) The Tribunal is satisfied that the interests of the respondents on whom notice of the application has not been served, are adequately and sufficiently represented by the respondents on whom notice of the application has been served.

13. Filing of reply and other documents by the respondents:

- (1) Each respondent intending to contest the application, shall file in triplicate the reply in the form of Written Statement with the Registry within one month of the service of notice of the application on him.
- (2) In the reply filed under sub-rule (1), the respondent shall specifically admit, deny or explain the facts stated by the applicant in his application and may also state such additional facts as may be necessary for the just decision of the case. It shall be signed and verified as a written statement by the respondent or any other person duly authorized by him in writing in the same manner as provided for in Order VI, rule 15 of the Code of Civil Procedure 1908, (5 of 1908).
- (3) The documents if any shall also be filed along with the reply and the same shall be marked as R1, R2, R3 and so on.
- (4) The respondent shall also serve a copy of the reply along with documents on the applicant or his legal practitioner, if any, and file proof of such service in the Registry.
- (5) The Tribunal may allow filing of the reply after the expiry of the prescribed period.
- (6) The Tribunal may permit the parties to amend the pleadings in the same manner as provided under Order 6, Rule 17 of the Code of Civil Procedure, 1908 (5 of 1908).

14. Date and place of hearing to be notified:

The Tribunal shall notify to the parties the date and the place of hearing of the application in such manner as the Chairperson may by general or special order direct.

15. Calendar of cases:

- (1) Tribunal shall draw up a calendar for the hearing of transferred cases and, as far as possible, hear and decide the cases according to the calendar.
- (2) Every application shall be heard and decided as far as possible, within six months from the date of its

registration.

- (3) The Tribunal shall have the power to decline an adjournment and also to limit the time for oral arguments.

16. Action on application for applicant's default:

- (1) Where on the date fixed for hearing of the application or on any other date to which such hearing is adjourned the applicant does not appear when the application is called for hearing, the Tribunal may in its discretion, either dismiss the application for default or hear and decide it on merits.
- (2) Where an application has been dismissed for default and the applicant files an application within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the application was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application and restore the same:

Provided that where the application is restored, under this sub-rule, no more adjournments shall be allowed to the applicants.

Provided, however, where the case was disposed of on merits the decision shall not be responded except by way of review.

17. Ex-Parte hearing and disposal of application:

- (1) Where on the date fixed for hearing the application or on any other date to which such hearing is adjourned, the applicant appears and the respondent does not appear when the application is called for hearing, the Tribunal may, in its discretion adjourn the hearing, or hear and decide the application ex-parte.
- (2) Where an application has been heard ex-parte against a respondent or respondents such respondent or respondents may apply within 30 days from the date of the order to the Tribunal for an order to set it aside and if such respondent or respondents satisfies the Tribunal that the notice was not duly served, or that he or they were prevented by any sufficient cause from appearing when application was called for hearing the Tribunal may make an order setting aside the ex-parte order as against him or them upon such terms as it thinks fit, and shall appoint a day for proceeding with the application:

Provided that where the ex-parte order of the application is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also:

Provided that where the application is restored under this sub-rule no more adjournments shall be allowed to the respondents.

Provided further that in cases covered by sub-rule (8) of rule 12, the Tribunal shall not set aside ex-parte order of an application merely on the ground that it was not served upon a respondent or respondents.

18. Application for review:

- (1) No application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed.
- (2) A review application shall ordinarily be heard by the same Bench which has passed the order, unless the Chairperson may, for reasons to be recorded in writing, direct it to be heard by any other Bench.
- (3) The Tribunal may either dismiss the application or direct notice to the opposite party.
- (4) When an application for review of any judgment or order has been made and disposed of, no further application for review shall be entertained in the same manner.
- (5) No application for review shall be entertained unless it is supported by a duly sworn affidavit indicating therein the source of knowledge, personal or otherwise, and also those which are sworn on the basis of the legal advice. The counter affidavit in review application will also be a duly sworn affidavit wherever any averment of fact is disputed.

19. Substitution of legal representatives:

- (1) In the case of death of a party during the pendency of the proceedings before the Tribunal, the legal

representatives of the deceased party may apply within sixty days of the date of such death for being brought on record as necessary parties.

- (2) Where no application is received from the legal representatives within the period specified in sub-rule (1), the proceedings against the deceased party shall abate.

Provided that on good and sufficient reasons the Tribunal, on an application, may set aside the order of abatement and substitute the legal representatives.

20. Adjournment of hearing:

- (1) The Tribunal may if sufficient cause is shown at any stage of proceedings grant time to the parties or any of them and adjourn the hearing of the application. The Tribunal may make such order as it thinks fit with respect to the costs occasioned by the adjournment.
- (2) The Tribunal shall not grant more than two adjournments to the applicants put together or the respondents put together.
- (3) The Tribunal shall not adjourn the hearing to a date more than 2 weeks from the date of hearing in each case.

21. Order to be signed and dated -

- (1) Every order of the Tribunal shall be signed by the Chairperson or Member, who pronounced the order.
- (2) The order shall be pronounced in open court.

22. Publication of orders:

Such of the order of the Tribunal as are deemed fit for publication in any authoritative report or the press may be released for such publication on such terms and conditions as the Chairperson may specify by general or special order.

23. Communication of order to parties:

- (1) Every interim order, granting or refusing or modifying interim relief or final order shall be communicated to the applicant and to the concerned respondent or to their Counsels, either by hand delivery or by post free of costs:

Provided that unless ordered otherwise by Tribunal, a copy of the final order need not be sent to any respondent who has not entered appearance:

Provided further that when the petitioner or the respondent is represented by a Counsel, under a single Vakalatnama, only one copy shall be supplied to such Counsel as named therein.

- (2) If the applicant or the respondent to any proceeding requires a copy of any document or proceeding the same shall be supplied to him on such terms and conditions on payment of such fees as may be fixed by the Chairperson by general or special order.

24. Inspection of the records:

- (1) The parties to any case or their counsel may be allowed to inspect the record of the case on making an application in writing to the Registrar.
- (2) Subject to such terms and conditions as may be prescribed by the Chairperson by a general or special order a person who is not a party to the proceeding, may also be allowed to inspect the proceedings after obtaining the permission of the Registrar in writing.

25. Order and directions in certain cases:

The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its order or to prevent abuse of its process or to secure the ends of justice.

26. Registration of legal practitioner's clerk:

- (1) No clerk employed by a legal practitioner shall act as such in the Tribunal or be permitted to have access to the records and obtain copies of the orders of the Bench of the Tribunal in which the legal

practitioner ordinarily practises unless his name is entered in the Register of clerks maintained by the said Bench. Such clerk shall be known as a "Registered Clerk".

- (2) A legal practitioner desirous of registering his clerk shall make an application to the Registrar in Form-IV. On such application being allowed by the Registrar, his name shall be entered in the Registrar of Clerks.
- (3) After registration of the clerk, the Registrar shall direct the issue of an identity card to him which shall be non-transferable and shall be produced by the holder upon request by an officer or other employee of the Tribunal authorized in this behalf. The identity card shall be issued under the signature of the Registrar or any other person authorized by him.
- (4) A register of all the clerks registered under sub-rule (2) shall be maintained in the office of the Registrar.
- (5) A legal practitioner shall have at a time not more than two registered clerks with the Registrar.
- (6) Whenever a legal practitioner ceases to employ a registered clerk, he shall notify the fact at once to the Registrar by means of a letter enclosing therewith the identity card issued to his clerk by the Registry, and on receipt of such letter the name of the said registered clerk shall be struck off from the register.

27. Working hours of the Tribunal:

Except on Sundays, and other public holidays, the office of the Tribunal shall, subject to any order made by the Chairperson remain open from 10.30 a.m. to 5.00 p.m.

28. Sitting hours of the Tribunal:

The sitting hours of the Tribunal (including a vacation Bench) shall ordinarily be from 10.30 a.m. to 1.30 p.m. and 2.30 p.m. to 5 p.m. subject to any general or special order made by the Chairperson concerned with the prior approval of the Chairperson.

29. Powers and functions of the Registrar:

- (1) The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules or by the Chairperson of the Bench concerned by separate order.
- (2) The Registrar may, with the approval of the Chairperson delegate to the Deputy Registrar or any other officer of Tribunal any function or power required by these rules to be performed or exercised by the Registrar.
- (3) In the absence of the Registrar, the Deputy Registrar or any other officer to whom the powers and functions of the Registrar are delegated by the Chairperson, as the case may be, may exercise the powers and functions of the Registrar.
- (4) The official seal shall be kept in the custody of the Registrar.
- (5) Subject to any general or special direction by the Chairperson the seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing of the Registrar or the Deputy Registrar.
- (6) The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing of the Registrar or the Deputy Registrar.

30. Additional powers and duties of Registrar:

In addition to the powers conferred, elsewhere in these rules, the Registrar shall have the following powers and duties subject to any general or special order of the Chairperson of the Tribunal, namely: -

- (i) To receive all applications and other documents including transferred applications;
- (ii) To decide all questions arising out of the scrutiny of the applications before they are registered;
- (iii) To require any application presented to the Tribunal to be amended in accordance with the Act and the rules;

- (iv) Subject to the direction of the Chairperson, to fix the date of first hearing of the applications or other proceedings and issue notices thereof;
- (v) To direct any formal amendment of records;
- (vi) To order grant of copies of documents to parties to the proceedings;
- (vii) To grant leave to inspect the records of the Tribunal;
- (viii) To dispose of all matters relating to the service of notices or other processes, applications for the issue of fresh notices and for extending the time for filing such applications, to grant time not exceeding 30 days for filing a reply or rejoinder if any, and to place the matter before the Tribunal for appropriate orders after the expiry of the aforesaid period;
- (ix) To requisition records from the custody of any court or other authority;
- (x) To receive applications within sixty days from the date of death for substitution of legal representatives of the deceased parties during the pendency of the application;
- (xi) To receive and dispose of applications for substitution except where the substitution would involve setting aside an order of abatement;
- (xii) To receive and dispose of applications by parties for return of documents.

31. Seal and emblem:

The official seal and emblem of the Tribunal shall be such as the State Government may specify.

32. Dress of the Members and staff of the Tribunal:

The dress for the Members of the Tribunal (including Chairperson) and Members of the staff of the Tribunal shall be such as the Chairperson may specify.

33. Dress of the parties:

A legal practitioner or, as the case may be, a presenting officer shall appear before the Tribunal in his professional dress, if any, and if there is no such dress.

- (i) If a male, in a closed, collared coat and trousers or in a lounge suit;
- (ii) If a female, in a saree or any other customary dress of a sober colour.

34. Proceedings before the Tribunal:

Every proceedings before the Tribunal shall be deemed to be Judicial proceedings within the meaning of Section 462-A of the GHMC Act.

35. Staff of Tribunal:

The staff of the Tribunal shall be recruited through Telangana Public Service Commission or drafted on deputation from the Departments under the control of MA & UD Department at the request of the Chairperson, who shall work under the administrative control of Chairperson and they shall continue to work for a period as stipulated in F.R. provisions subject to promotional avenues and availability of vacancy in the Tribunal.

37. Registers to be maintained by the Tribunal:

- (i) OA Register
- (ii) I.A. Register
- (iii) Stamp Register
- (iv) Cash Register Cash Received by Deposits in Bank
- (v) C.A. Register
- (vi) Inspection of Document Register
- (vii) Return of Document Register
- (viii) Appointment of Commissioner Register

- (ix) Appoint of Receiver Register
- (x) Attendance Register
- (xi) Leave Register
- (xii) Other Registers as instructed by the Chairperson from time to time.

38. Commissions:

Cases in which Tribunal may issue Commission to examine witness:

The Tribunal may in any application, issue a commission for the examination on interrogatories or otherwise of any person resident within the local limits of its jurisdiction, who is fallen sickness or infirmity of any person unable to attend it:

Provided that a Commission for examination on interrogatories shall not be issued unless the Tribunal, for reasons to be recorded, thinks it necessary to do so.

Explanation: The Tribunal may, for the purpose of this rule, accept a certificate purporting to be signed by a registered Medical Practitioner as evidence of the sickness or infirmity of any person, without calling the medical practitioner as a witness.

39. Admission and denial of documents:

The Tribunal may, before framing issues ascertain from parties or their authorised representatives whether they admit or deny documents accompanying the application or reply, if any, and shall record such admission and denial.

40. Decision of the Tribunal:

The Tribunal shall decide every application as expeditiously as possible on perusal of documents, affidavits and other evidence, if any, and after hearing such oral arguments as may be advanced.

41. Preservation of record:

All necessary documents and records relating to applications dealt with by the Tribunal shall be kept in a record room and shall be preserved for a period of three years after passing of the final order.

42. Decision on applications:

- (1) Tribunal shall draw up a calendar for the hearing of transferred cases and as far as possible hear and decide the cases according to the calendar.
- (2) Every application shall be heard and decided, as far as possible, within six months of the date of its presentation.
- (3) For purposes of sub-rule (1) and (2), the Tribunal shall have the power to decline an adjournment and to limit the time for oral arguments.

43. Orders and directions in certain cases:

The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect or in relation to its orders or to prevent abuse of its process or to secure the ends of justice.

44. Limitation for filing appeal:

- (1) Every appeal shall be filed within a period of fifteen days from the date on which a copy of the order against which the appeal is filed as stipulated section 452(5) of GHMC Act, 1955

Provided that the Appellate Tribunal may entertain an appeal after the expiry of the said period of fifteen days if it is satisfied that there was sufficient cause for not filing it within that period.

45. Maintenance of Court Diary:

The Court Master shall maintain a court diary in a prescribed manner for recording the proceedings of the Tribunal for each working day with respect to all applications listed in the daily cause list.

46. Preparation and publication of daily cause list:

The Court Master shall on each working day prepare for the next working day the cause list in a prescribed manner and affix a copy of the same on the Notice Board of the Tribunal.

47. Vesting powers of Civil Court:

This Tribunal shall exercise all powers of Civil Court and follow the procedure laid down in the Code of Civil Procedure, 1908 (Act V of 1908)

48. Rules relating Certified Copies:

Rules relating to issue of the Certified Copies in the courts subordinate to High Court shall mutatis mutandis apply in the case of Building Tribunal.

NAVIN MITTAL,
Secretary to Government.

FORM - I

[RULE 5]

APPLICATION UNDER SECTION 462 - A OF
GREATER HYDERABAD MUNICIPAL CORPORATION ACT, 1955

Application No. _____ of _____

Title of the Case :

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Signature of the applicant

For use in Tribunal's Office

Date of filing or date of Receipt by Post Registration

No.

Signature for Registrar

IN THE TELANGANA MUNICIPAL BUILDING TRIBUNAL AT

A.B. (add description such as son of, Resident of and Place)

APPLICANT

Versus

C.D. (add description and the residential or official address on which the service of notices is to be effected on the respondent or respondents. The details of each respondent are to be given in a chronological order.)

RESPONDENT

DETAILS OF SUIT /APPLICATION

1. Particulars of the order against which the application is made:

(Particulars of the order giving the details like the number, date and the authority which has passed the order, against which the application is made).

2. Jurisdiction of the Tribunal:

The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

3. Limitation:

The applicant further declares that the application is within the limitation period as prescribed in GMC Act, 1955.

4. Facts of the case :

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

5. Grounds for relief with legal provisions:

6. Details of the remedies exhausted:

The applicant declares that he has availed of all the remedies available to him under the relevant service rules etc.

(Give here chronologically the details of representations made and the outcome to such representations with reference to the number of Annexure to be given in support thereof).

7. Matters not previously filed or pending with any other court:

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter, in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

In case the applicants had previously filed any such application, writ petition or suit, the stage at which it is pending, and if decided, the list of the decisions should be given with reference to the number of Annexure to be given in support thereof.

8. Relief sought:

In view of the facts mentioned in para 6 above the applicant prays for the following relief(s) :-

(Specify below the relief(s) sought explaining the grounds for such relief(s) and the legal provisions, if any, relied upon).

9. Interim order, if any prayed for:

Pending final decision on the application, the applicant seeks the following interim relief:

(Give here the nature of the interim relief prayed for).

10. In the event of application being sent registered post, it may be stated whether the applicant desires to have oral hearing at the admission stage and if so, he shall attach a self addressed Post Card or Inland Letter, at which intimation regarding the date of hearing could be sent to him.
11. Particulars of Banks Draft/Postal Order filed in respect of the application fee.
12. List of enclosures:
 - 1.
 - 2.
 - 3.
 - 4.

VERIFICATION

I (Name of the applicant) S/o, W/o, D/o
....., age resident of, do hereby verify that
the contents of paras toare true to my personal knowledge and paras.....
to.....believed to be true on legal advice and that I have not suppressed any material fact.

Date :

Place :

Signature of the applicant

Signature of Legal Practitioner

FORM II

[RULE 5 (4)]

RECEIPT SLIP

Receipt of the application filed in the Telangana Municipal Building Tribunal by
Shri/Kum/Smt residing at is
hereby acknowledged.

for Registrar

Dated:.....

Telangana Municipal Building Tribunal

Seal :

FORM III

[RULE 9(3)]

IN TELANGANA MUNICIPAL BUILDING TRIBUNAL

.....

Misc. Application No..... of In Original/Transferred Application No.
..... of

XXX

..... Applicant/Petitioner

Versus

YYY

..... Respondent/Applicant

Brief facts leading to the application.

Relief or Payer :

VERIFICATION:

I(Name of the applicant) S/o, W/o, D/o, age resident
of, do hereby verify that the contents of para to.....are true on
legal advice and that I have not suppressed, any material fact.

Date :

Place :

Signature of the applicant

Signature of the Advocate

FORM IV

[Rule 26 (2)]

APPLICATION FOR THE REGISTRATION OF A CLERK

1. Name of legal practitioner on whose behalf the clerk is to be registered.

2. Particulars of the clerk to be registered

(i) Full name :

(in capital)

(ii) Father's name :

(iii) Age and date of Birth :

(iv) Place of birth : (v) Nationality :

(vi) Educational qualification :

(vii) Particulars of previous employment, if any :

I, _____ (Clerk above-named) do hereby affirm that the particulars relating to me given above are true.

Signature of Clerk

3. Whether the legal practitioner has a clerk already registered in his employ and whether the clerk sought to be registered is in lieu of or in addition to the clerk already registered

4. Whether the clerk sought to be registered is hereby registered as a clerk of any other legal practitioner and if so, the name of such practitioner

I,.....(legal practitioner) certify that the particulars given above are true to the best of my information and belief and that I am not aware of any fact which would render unsuitable the registration of the said..... (name) as a clerk. Further, I enclose, Postal Order for Rs. Fifty being the costs of Identity Card along with 2 passport size photographs of the applicant duly attested by me.

Signature of the Legal Practitioner

Dated :.....

To

The Registrar

The Telangana Municipal Building Tribunal